

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

AARON CAYLOR,
*Individually and as Administrator of the
Estate of Michael J. Caylor*

Plaintiff,

Case No. 3:22-cv-354

vs.

LIFE INSURANCE COMPANY
OF NORTH AMERICA,

District Judge Michael J. Newman
Magistrate Judge Peter B. Silvain, Jr.

Defendant.

**ORDER: (1) SCHEDULING CASE PROCEEDINGS; AND (2) RESCINDING THE
REFERENCE TO THE UNITED STATES MAGISTRATE JUDGE**

This ERISA case comes before the Court for review of the parties' 26(f) report. Doc. No. 7. Except as otherwise noted herein, the Court adopts the discovery plan and limitations proposed by the parties, as well as all deadlines set forth therein. Because this is an ERISA case, the parties—in their Rule 26(f) report—agree that, at this time, discovery beyond the administrative record is unnecessary. The specific case management dates and deadlines in this case are as follows:

- Defendant **SHALL** provide Plaintiff with the administrative record by **May 31, 2023**.
- If either party chooses to file motions directed to the pleadings, to amend the pleadings, and/or to add additional parties, they **SHALL** file such motions by **June 30, 2023**.
- If Plaintiff determines that further discovery beyond the administrative record is necessary, Plaintiff **SHALL** file a motion stating as such on the Court's docket by **July 14, 2023**.

- The parties **SHALL** file cross motions for summary judgment on the administrative record by **August 31, 2023**.
- The parties **SHALL** file cross opposition briefs by **September 28, 2023**.
- The parties **SHALL NOT** file replies without leave of the Court.

If the parties would like a referral for mediation by the Court, counsel may make such request by filing notice of their interest on the Court's docket. The parties may make and/or accept settlement demands at any time without leave of the Court. If the parties settle this case on their own, they shall file notice of such settlement on the Court's docket as soon as possible. Because the parties are not presently undertaking discovery beyond the administrative record, the order of reference of this case to Magistrate Judge Peter B. Silvain, Jr. is hereby **RESCINDED**.

IT IS SO ORDERED.

May 31, 2023

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge